

**REMARKS**

The Office Action mailed March 11, 2005 has been carefully reviewed and, in view of the above amendments and following remarks, reconsideration and allowance of the application are respectfully requested.

**I. Summary of Claims**

Claims 1-25, 28-55, 57, 59-62, and 72-78 are currently pending in the application, with claims 1, 23, 40, 57, and 72 being independent claims. Claims 63 and 66-71 are cancelled, and claim 57 is amended, in accordance with the above amendments.

The following claim rejections were submitted by the Examiner in the outstanding Office Action:

- Claims 57, 59-63, and 66-71 are rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of U.S. Patent Number 6,457,262 to Swigart and U.S. Patent Application 2002/0013967 to Roux; and
- Claims 57, 59-63, and 66-71 are rejected under 35 U.S.C. §103(a) as being unpatentable over the combination of Swigart and either of U.S. Patent Number 5,704,137 to Dean, et al. and U.S. Patent Number 5,545,463 to Schmidt, et al.

**II. Allowable Claims**

According to the Office Action, claims 1-25, 28-55, and 72-78 are allowable. Claims 5, 42, and 43 were previously withdrawn in response to a Restriction Requirement. According to the Office Action, these claims are now allowed. Accordingly, the status of these claims has been changed from "Withdrawn" to "Original."

**III. Discussion of Rejections*****Discussion of Independent Claim 57***

Independent claim 57 recites a bladder for an article of footwear. The bladder includes a first surface, an opposite second surface, and a sidewall extending between edges of the first surface and the second surface. The sidewall is joined with the first surface and the second surface, and the first surface and the second surface are devoid of internal connections that secure interior portions of the first surface to interior portions of the second surface. At least one

of the first surface and the second surface have a curved configuration extending inward to define a concave surface of the chamber. Air is sealed within the bladder at a pressure approximately equal to an ambient pressure. Additionally, at least three lobes extend radially outward from a central area. The lobes are defined by the first surface, second surface, and sidewall, and the lobes are in fluid communication with the central area.

None of the references disclose a chamber wherein one of the first surface and the second surface has a curved configuration extending inward to define a concave surface of the chamber. Based upon the various figures of Swigart and the associated description, Swigart appears to have generally planar surfaces. The surfaces of Roux project outward and have, therefore, a convex configuration. Similarly, Dean discloses a convex configuration, as in Figures 4 and 7. Finally, the projections of Schmidt also project outward.

Based upon the above discussion, the Applicants submit that independent claim 57 is allowable over the various rejections outlined in the Office Action. In addition, claims 59-62 should be allowable for at least the same reasons.

#### IV. Conclusion

In view of the foregoing, the Applicants respectfully submit that all claims are in a condition for allowance. The Applicants respectfully request, therefore, that the rejections be withdrawn and that this application now be allowed. This Amendment is being timely filed by facsimile transmission on May 3, 2005. Should additional fees or an extension of time be deemed necessary for consideration of this Amendment, such fees or extension are hereby requested and the Commissioner is authorized to charge deposit account number 19-0733 for the payment of the requisite fee. If anything further is desirable to place the application in even better form for allowance, the Examiner is respectfully requested to telephone the undersigned representative at (503) 425-6800.

Respectfully submitted,

By:   
Byron S. Kuzara  
Registration No. 51,255

Banner & Witcoff, Ltd.  
1001 G Street, N.W.  
Washington, D.C. 20001-4597  
Telephone: (202) 824-3000

Dated: May 3, 2005